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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

June 9, 2006

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

HAWAII

**Issuance of Right-of-Entry Permit to the County of Hawaii, Department of Water Supply on Lands Encumbered by Governor's Executive Order No. 2554, Ahualoa, Hamakua, Hawaii, Tax Map Key: 3<sup>rd</sup>/ 4-6-11: 42**

APPLICANT:

County of Hawaii, Department of Water Supply (COH DWS), whose business and mailing address is 345 Kekuanaoa Street, Suite 20, Hilo, Hawaii 96720.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Ahualoa, Hamakua, Hawaii, identified by Tax Map Key: 3<sup>rd</sup>/ 4-6-11: 42, as shown on the attached map labeled Exhibit A.

AREA:

18.044 acres, more or less.

ZONING:

State Land Use District:	Agriculture
County of Hawaii CZO:	Agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 2554 to County of Hawaii for Quarry purposes.

CHARACTER OF USE:

Quarry purposes.

TERM OF RIGHT-OF-ENTRY:

One year, commencing on August 1, 2006 and expiring on July 30, 2007

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, Item No. 1 that states "Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes."

DCCA VERIFICATION:

Not applicable, applicant is a government agency.

REMARKS:

By letter dated May 3, 2006, Mr. Milton D. Pavao, Manager, Department of Water Supply, County of Hawaii, requested a right-of-entry upon the subject parcel for conducting its exploratory phase of this well project. Phase I of the project will involve the drilling, casing, and testing of an exploratory well, to determine if the well site can produce adequate yield and water quality. Should the tests indicate that the well site is adequate, DWS would then pursue Phase II of the project, which would include obtaining disposition of the subject parcel, for outfitting of the well and construction of a concrete reservoir. This phase of the project is expected to take approximately one year,

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commencing on August 1, 2006.

The subject parcel is currently encumbered under Governor's Executive Order No. 2554, to the County of Hawaii, Department of Public Works, for Quarry purposes. The Department of Water Supply has contacted and obtained concurrences from the Department of Public Works for conducting these well tests upon the State parcel.

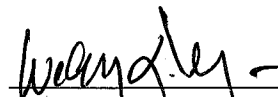
This right-of-entry permit is to be issued at gratis as this is a government sponsored project.

RECOMMENDATION:

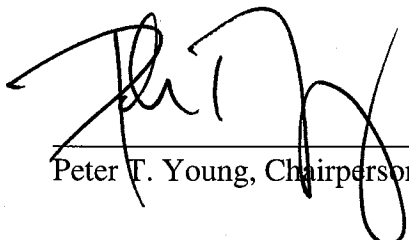
That the Board, authorize the issuance of a right-of-entry permit to County of Hawaii, Department of Water Supply covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. This right-of-entry shall be at gratis, as this is a government sponsored project;
3. The term of this right-of-entry is one year, commencing on August 1, 2006.
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State;
5. Authorize the Chairperson to issue future right-of-entries to the Applicant in relation to its proposed exploratory well project purposes.

Respectfully Submitted,

  
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Wesley T. Matsunaga  
Land Division

APPROVED FOR SUBMITTAL:

  
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Peter T. Young, Chairperson

